REMARKS/ARGUMENTS

I. Status of Application.

Claims 1-6, 8-14, and 24-27 are pending in this Application. Claims 1-6 and 9-14 stand rejected under 35 U.S.C. § 103(a) as obvious over European Patent Number EP 1,391,080 ("EP '080") in view of United States Patent Number 5,167,903 to *Anderson* ("*Anderson*") (collectively, the "Cited References"). Claims 8 and 23-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Anderson* in view of EP '080.

Independent Claims 1 and 8 have been cancelled and new independent Claims 28 and 29 have been added to define the geometry of the slat without reference to a direction of incidence of the laser beam. Minor non-substantive amendments have been made to Claims 2, 4, 5, 6, 23 for internal and grammatical consistency.

No new matter is incorporated into these Claims, but rather, they are re-written to more clearly to emphasize the construction of the inserts (or "strips") without regard to the direction of a laser beam. Specifically, two parts of the insert are connected along a fold line. The first part has a free upper edge which, together with the free upper edges of the other inserts, forms a plane to support a product to be cut. The other edge of the first part is connected to the second part at the fold line, located a distance away from the free upper edge. The first part also has opposed main faces, which faces extend substantially parallel to one another from the free upper edge to the fold line in a direction perpendicular to a supporting plane. The second part is connected at the fold line to the first part, and is inclined with respect to the direction perpendicular to the support plane.

In the claimed invention, the laser beam impinges upon the inclined (second) part of the metal sheet plate forming the inserts, and the laser beam energy is scattered well below the supporting plane of the fabric being cut. Consequently, the energy of the laser beam is not likely to damage the underside of the fabric on the supporting plane because the impact of the laser beam is necessarily distant from the supporting plane and the supported fabric. By contrast, the support plates of the Cited Art scatter the laser beam in close proximity to the underside of the supported fabric. As a result, the energy of the laser beam is likely to cause damage to the underside of the fabric supported on the support surfaced. The structural difference between the claimed invention and the Cited Art provides significant advantage for the claimed invention.

Support for these new Claims can be found in FIGs. 6, 9 and 10, and in the Specification, paragraphs [0008], [0009], [0043], [0044], [0046], [0047], [0049], and [0050], for example. Favorable reconsideration and allowance of the Claims of the present application are respectfully requested. In support, the Applicant respectfully submits the following arguments:

II. Rejection of Claims 1-6 and 9-14 under 35 U.S.C. § 103 as Obvious over EP '080 in View of *Anderson* and Claims 8 and 23-27 as Obvious over *Anderson* in view of EP '080.

The Cited References do not teach each and every limitation of the claimed invention, and as such, do not render it obvious. "To establish a prima facie case of obviousness of a claimed invention all the claimed limitations must be taught or suggested by the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 44, 496 (C.C.P.A. 1970); *see KSR Int'l. Co. v. Teleflex, Inc.*, 550 U.S. ___, 127 S.Ct. 1727 (2007); *see also* MPEP 2142.

The references cited by the Examiner fail to teach or suggest an insert or support strip with: **(1)** a first part forming a **free upper edge defining a support plane** for the product to be

cut. The support strip must be connected **(2) by a fold line** to a second part which is angled with respect to a direction perpendicular to the support plane, **(3) the free upper edge of the support element is distinct and at a distance from the fold line**. The first part must also have **(4) parallel opposed faces extending perpendicularly from the support plane**. Limitations (1) through (4) are not taught or suggested by either of the Cited References.

With regard to limitations (1) and (2) above (the upper edge defining a "support plane" connected "by a fold line" to an angled strip), the Examiner states that EP '080 discloses a "support element constructed in the forms of strips." The "fold line" limitation is not discussed at all by the Examiner with regard to Claim 1 (now 28), and indeed EP '080 teaches no fold line. With regard to Claim 8 (now 29), which also iterates the same "fold line" limitation, the Examiner admits that EP '080 fails to disclose this limitation, but instead suggests that the angle formed by the right and left side of the "support element" is equivalent to this limitation. See Paper 20080204, page 6. The Examiner states, "the angle (fold) of the support, as taught by EP ('080) functions the same as a fold which obviates interfering reflections from the laser-cutting beam."

The new claims emphasize that the free upper edge of the first part forms a support plane, and the opposed faces of the free upper edge are parallel to each other and perpendicular to the support plane. EP '080, by contrast, does not have a free upper edge, and the opposed "faces" of the "supports" of EP '080 form *intersecting* planes. The new Claims clarify that the free upper edge must be at a distance from the fold line, which is not taught by EP '080, where the "upper edge," by contrast, *is* the "fold line" (according to the Examiner). The distance from the fold line

is the feature that causes the laser beam to be scattered below the underside of the supported fabric.

Further, and in addition to failing to disclose each and every element of the subject claims, any "support element" shown by EP '080 is not a "functional equivalent." The configuration of the support strip of the claimed invention always separates the supported object (fabric) at least a minimum distance from a deflected laser beam. By contrast, the solid support disclosed in the prior art EP '080 reference does not always separate the supported object (fabric) at least a minimum distance from a deflected laser beam. In fact, if a laser beam were to hit very close to the tip of the "support" of EP '080, the laser beam would deflect directly below and damage a supported object. Deflection of the laser beam directly below the supported object is the very problem solved by the configuration of the claimed invention. In the claimed invention, the laser beam will never deflect closer to the supported object than the distance between the support end and the fold.

Anderson likewise does not disclose these claim limitations, and cannot cure the deficiency of EP '080 to support an obviousness rejection. The slats of *Anderson* are formed by metal plates that are arranged exclusively parallel to one another, and consistently perpendicular to the plane of the support surface. *Anderson* would not deflect a laser beam at all. Therefore, because EP '080 in combination with *Anderson* fail to teach or suggest each and every element of Claims 28 and 29 of the present invention, they do not render these Claims obvious under 35 U.S.C. § 103(a). Accordingly, Applicant requests the allowance of Claims 28 and 29 and all claims depending therefrom.

A favorable action and an early issuance of the case are earnestly solicited. The Director is hereby authorized to change any additional fees or credit overpayment to deposit account 024300. If any additional fees are due in connection with the filing of this Amendment or the accompanying papers, such as fees under 37 C.F.R. §§1.16 or 1.17, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 041206.034. If an additional extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee also should be charged to SGR Deposit Account No. 02-4300, Order No. 041206.034. Any overpayment can be credited to Deposit Account No. 02-4300, Order No. 041206.034.

Respectfully Submitted,

Kerri A. Hochgesang

Kerri Hochgesang
Reg. No. 55,271
Attorney for Applicant

Smith, Gambrell & Russell, LLP
1230 Peachtree St. NE
Suite 3100
Atlanta, GA 30309
Ph. 404-815-3672
Fax. 404-683-6972

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